

AMENDED IN SENATE AUGUST 17, 2015

AMENDED IN SENATE JULY 1, 2015

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 1020

Introduced by Assembly Member Ridley-Thomas

February 26, 2015

An act to amend Sections 2000, 2101, 2103, 2106, 2114, 2115, 2119, 2120, 2139, 2140, 2150, 2155.3, 2157, 2158, 2163, 2165, 2166, 2166.5, 2166.7, 2168, 2183, 2184, 2185, 2187, 2188, 2188.1, 2188.5, 2191, 2193, 2194, 2196, 2200, 2201, 2202, 2206, 2208, 2209, 2210, 2211, 2212, 2221, 2224, 2225, 2226, 2227, 3009, 3010, 3011, 3019, 8401, 9030, 9031, 9114, 9115, 9308, 9309, 11224, 11225, 14202, 18104, and 18109 of, and to repeal Sections 2104, 2107, 2108, 2109, 2110, 2113, 2117, 2118, 2118.5, 2135, 2136, 2137, 2141, 2160, 2180, 2181, 2182, 2190, 2192, 2203, and 2204 of the Elections Code, relating to elections.

LEGISLATIVE COUNSEL'S DIGEST

AB 1020, as amended, Ridley-Thomas. Elections: voter registration.

Existing law provides that a person is entitled to register to vote if he or she is a United States citizen, a resident of California, not in prison or on parole for the conviction of a felony, and at least 18 years of age at the time of the next registration.

This bill would provide that a person is entitled to preregister to vote in an election if, among other things, that person is at least 16 years of age.

Existing law authorizes county elections officials, under specified circumstances and in order to promote and encourage voter registrations,

to deputize as registrars qualified citizens to register voters anywhere within the county.

The bill would delete this authorization and make conforming changes to related provisions of law.

Existing law requires the county elections official to accept affidavits of registration at all times except during the 14 days immediately preceding an election and requires the county elections official to accept an affidavit of registration executed as part of a voter registration card in the forthcoming election if the affidavit is executed on or before the 15th day prior to the election and if a specified circumstance applies.

The bill would delete these provisions of law.

Existing law authorizes the county elections official of any county to receive the affidavit of registration of any elector who resides or claims residence in another county in this state and provides that this method of registration is effective for all elections occurring 29 or more days after receipt of the affidavit of registration. Existing law also sets forth the acceptance procedure for the county elections official in the event a voter provides notification of a change of address.

The bill would instead specify that registration by the above-described method would be effective for an election occurring 15 or more days after receipt of the affidavit of registration by the county elections official. The bill would also modify the procedure for the acceptance of affidavits of voter registration, reregistration, or notification of a transfer of registration for an election.

Existing law authorizes any person filing with the county elections official a new affidavit of registration or reregistration to have the information relating to his or her residence address, telephone number, and ~~e-mail~~ *email* address appearing on the affidavit, or any list, roster, or index prepared therefrom, declared confidential upon a superior court order, as specified.

The bill would impose new requirements on county elections officials relating to voters moving into a new county who wish to apply for confidential voter status. By imposing new requirements on local officials, the bill would impose a state-mandated local program.

Existing law requires the county elections officer to print a complete index and authorizes the officer to print a continuing index, by precinct, to the affidavits of registration current at the date of printing. Each county elections official is also required to send to the Secretary of State a summary statement of the number of voters in the county.

The bill would modify these provisions of law and require that the county elections officer provide an electronic copy of the index and of supplements to the index. The bill would also require a county elections official to provide detailed notice to the Secretary of State that specified voter information is available.

The bill would correct incorrect cross-references and delete obsolete provisions of law.

Existing law requires the county elections official to cancel voter registration at the signed, written request of the person registered, when the mental incompetency of the person registered is legally established, upon proof that the person is presently imprisoned or on parole for the conviction of a felony, upon the production of a certified copy of a judgment directing that the cancellation be made, or upon the death of the person registered.

The bill would authorize the Secretary of State to cancel a person's registration when the mental incompetency of the person registered is legally established, upon proof that the person is presently imprisoned or on parole for the conviction of a felony, and upon the death of the person registered.

In specified circumstances, existing law requires a court to determine whether a person is capable of completing an affidavit of registration or otherwise qualified to vote. If the court determines that the person is not capable of completing the affidavit or is not qualified to vote, the court is required to order the person to be disqualified from voting and to notify the county elections official. In the event a person's right to register to vote is restored, the court is required to notify the county elections official.

The bill would instead require the court to notify the Secretary of State in the event a person is disqualified from voting or his or her right to register to vote is restored.

Existing law authorizes a county elections official to send an alternate residency confirmation postcard to a voter if the voter has not voted in an election within the preceding 4 years and his or her residence address, name, or party affiliation has not been updated during that time. A county elections official is required to send a forwardable notice to a voter to enable the voter to verify or correct residency information based on change-of-address data.

The bill would modify the form and content of the alternate residency confirmation postcard and forwardable notice.

Under existing law, any deputy registrar of voters having charge of affidavits of registration is guilty of a misdemeanor who knowingly neglects or refuses to return affidavits of registration.

The bill would instead specify that any individual or organization having charge of affidavits of registration who knowingly neglects or refuses to return affidavits of registration is guilty of a misdemeanor. By creating a new crime, the bill would create a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that with regard to certain mandates no reimbursement is required by this act for a specified reason.

With regard to any other mandates, this bill would provide that, if the Commission on State Mandates determines that the bill contains costs so mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

This bill would become operative only if the Secretary of State certifies that the state has a statewide voter registration database that complies with the federal Help America Vote Act of 2002.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 2000 of the Elections Code is amended
- 2 to read:
- 3 2000. (a) Every person who qualifies under Section 2 of Article
- 4 II of the California Constitution and who complies with this code
- 5 governing the registration of electors may vote at any election held
- 6 within the territory within which he or she resides and the election
- 7 is held.
- 8 (b) Any person who will be at least 18 years of age at the time
- 9 of the next election is eligible to register and vote at that election.
- 10 (c) Pursuant to Section 2102, any person who is at least 16 years
- 11 of age and otherwise meets all eligibility requirements to vote is
- 12 eligible to preregister to vote, but is not eligible to vote until he or
- 13 she is 18 years of age.
- 14 SEC. 2. Section 2101 of the Elections Code is amended to read:

1 2101. (a) A person entitled to register to vote shall be a United
2 States citizen, a resident of California, not imprisoned or on parole
3 for the conviction of a felony, and at least 18 years of age at the
4 time of the next election.

5 (b) A person entitled to preregister to vote in an election shall
6 be a United States citizen, a resident of California, not imprisoned
7 or on parole for the conviction of a felony, and at least 16 years
8 of age.

9 SEC. 3. Section 2103 of the Elections Code is amended to read:

10 2103. (a) It is the intent of the Legislature that the election
11 board of each county, in order to promote and encourage voter
12 registrations, shall establish a sufficient number of registration
13 places throughout the county, and outside the county courthouse,
14 for the convenience of persons desiring to register, to the end that
15 registration may be maintained at a high level.

16 (b) It is also the intent of the Legislature that county elections
17 officials, in order to promote and encourage voter registrations,
18 shall enlist the support and cooperation of interested citizens and
19 organizations in such a way as to reach most effectively every
20 resident of the county.

21 (c) It is also the intent of the Legislature that
22 non-English-speaking citizens, like all other citizens, should be
23 encouraged to vote. Therefore, appropriate efforts should be made
24 to minimize obstacles to registration by citizens who lack sufficient
25 skill in English to register without assistance.

26 (d) It is the intent of the Legislature that county elections
27 officials be permitted to distribute affidavits of registration and
28 voter registration cards, in all languages required by Section 203
29 (52 U.S.C. Sec. 10503) or Section 4(f)(4) (52 U.S.C. Sec.
30 10303(f)(4)) of the federal Voting Rights Act of 1965, by using
31 the county's Internet Web site.

32 SEC. 4. Section 2104 of the Elections Code is repealed.

33 SEC. 5. Section 2106 of the Elections Code, as amended by
34 Section 2 of Chapter 619 of the Statutes of 2014, is amended to
35 read:

36 2106. A program adopted by a county pursuant to Section 2103
37 or 2105, that is designed to encourage the registration of electors,
38 shall, with respect to a printed literature or media announcement
39 made in connection with these programs, contain this statement:
40 "A person entitled to register to vote must be a United States

1 citizen, a resident of California, not imprisoned or on parole for
2 the conviction of a felony, and at least 18 years of age at the time
3 of the election. A person may preregister to vote if he or she is a
4 United States citizen, a resident of California, not imprisoned or
5 on parole for the conviction of a felony, and at least 16 years of
6 age.” A county elections official may continue to use existing
7 materials before printing new or revised materials required by any
8 changes to this section.

9 SEC. 6. Section 2106 of the Elections Code, as enacted by
10 Section 2 of Chapter 920 of the Statutes of 1994, is amended to
11 read:

12 2106. Any program adopted by a county pursuant to Section
13 2103 or 2105, that is designed to encourage the registration of
14 electors, shall, with respect to any printed literature or media
15 announcements made in connection with these programs, contain
16 this statement: “A person entitled to register to vote must be a
17 United States citizen, a resident of California, not imprisoned or
18 on parole for the conviction of a felony, and at least 18 years of
19 age at the time of the election.”

20 SEC. 7. Section 2107 of the Elections Code, as amended by
21 Section 7 of Chapter 909 of the Statutes of 2014, is repealed.

22 SEC. 8. Section 2107 of the Elections Code, as amended by
23 Section 8 of Chapter 909 of the Statutes of 2014, is repealed.

24 SEC. 9. Section 2108 of the Elections Code is repealed.

25 SEC. 10. Section 2109 of the Elections Code is repealed.

26 SEC. 11. Section 2110 of the Elections Code is repealed.

27 SEC. 12. Section 2113 of the Elections Code is repealed.

28 SEC. 13. Section 2114 of the Elections Code is amended to
29 read:

30 2114. The county elections official of any county in this state
31 may receive the affidavit of registration of any elector who resides
32 or claims residence in another county in this state. The affidavit
33 shall be forwarded to the county elections official of the county
34 in which the elector resides. The county elections official of the
35 county in which the elector resides shall use the affidavit of
36 registration received from the other county as his or her permanent
37 record of registration.

38 Registration by this method shall be effective for all elections
39 occurring 15 or more days after receipt of the affidavit of

1 registration by the county elections official to which the affidavit
2 is mailed or delivered by the elector.

3 SEC. 14. Section 2115 of the Elections Code is amended to
4 read:

5 2115. Whenever a voter, between the time of that person's last
6 registration and the time for the closing of registration for any
7 given election, has lawfully changed his or her surname, the voter
8 shall reregister under the new or changed name. The voter shall
9 make an additional statement at the time of reregistration, giving
10 the name under which he or she was last registered.

11 This additional statement shall be given in the prior registration
12 portion of the affidavit of registration before the affidavit is signed,
13 and shall be deemed a part of the affidavit. Upon reregistration,
14 ~~the last previous~~ registration of the voter shall be immediately
15 updated.

16 SEC. 15. Section 2117 of the Elections Code is repealed.

17 SEC. 16. Section 2118 of the Elections Code is repealed.

18 SEC. 17. Section 2118.5 of the Elections Code is repealed.

19 SEC. 18. Section 2119 of the Elections Code is amended to
20 read:

21 2119. (a) Except as provided in subdivision (d) and Chapter
22 5 (commencing with Section 3400) and Chapter 6 (commencing
23 with Section 3500) of Division 3, the county elections official shall
24 accept affidavits of registration at all times except during the 14
25 days immediately preceding an election, when registration shall
26 cease for that election as to electors residing in the territory within
27 which the election is held.

28 (b) Transfers of registration for an election may be made from
29 one precinct to another precinct in the same county, from one
30 county to another county, or for a residence address change within
31 the same precinct at any time registration is in progress in the
32 precinct or county to which the elector seeks to transfer. In lieu of
33 executing a new affidavit of registration for a change of address,
34 the county elections official shall accept a notice, a letter of the
35 change of address signed by a voter as he or she is registered, or
36 a written notice. The former address shall be maintained with the
37 voter record and the registration of the voter shall be immediately
38 updated.

39 (c) If the reregistration or transfer is from one county to another
40 county, the county elections official of the county in which the

1 voter was formerly registered shall be notified and the registration
2 of the voter shall be immediately updated.

3 (d) The county elections official shall accept an affidavit of
4 registration or a notification for the forthcoming election and shall
5 immediately update the address on the voter's affidavit of
6 registration accordingly if the affidavit of registration or
7 notification is executed on or before the 15th day prior to the
8 election and if any of the following apply:

9 (1) The mailed affidavit of registration or notification is
10 postmarked on or before the 15th day prior to the election and
11 received by mail by the county elections official before the close
12 of the polls on election day.

13 (2) The affidavit of registration or notification is submitted to
14 the Department of Motor Vehicles or accepted by any other public
15 agency designated as a voter registration agency pursuant to the
16 federal National Voter Registration Act of 1993 (52 U.S.C. Sec.
17 20501 et seq.) on or before the 15th day prior to the election.

18 (3) The affidavit of registration or notification is delivered to
19 the county elections official by means other than those described
20 in paragraphs (1) and (2) on or before the 15th day prior to the
21 election.

22 (4) The affidavit is submitted electronically on the Internet Web
23 site of the Secretary of State pursuant to Section 2196 on or before
24 the 15th day prior to the election.

25 (e) If the registration, reregistration, or notification is executed
26 during the 14 days before an election or is executed on or before
27 the 15th day prior to the election, but does not meet any of the
28 conditions set forth in subdivision (d), the registration of the voter
29 or the update to the registration of the voter shall be immediately
30 processed, but the voter will not be eligible to vote in that election.

31 (f) This section shall become inoperative on January 1, 2017.

32 SEC. 19. Section 2119 of the Elections Code is amended to
33 read:

34 2119. (a) Except as provided in subdivision (d), Article 4.5
35 (commencing with Section 2170), and Chapter 5 (commencing
36 with Section 3400) and Chapter 6 (commencing with Section 3500)
37 of Division 3, the county elections official shall accept affidavits
38 of registration at all times except during the 14 days immediately
39 preceding an election, when registration shall cease for that election

1 as to electors residing in the territory within which the election is
2 held.

3 (b) Transfers of registration for an election may be made from
4 one precinct to another precinct in the same ~~county~~ or *county*, from
5 one county to another ~~county~~ *county*, or for a residence address
6 change within the same precinct at any time registration is in
7 progress in the precinct or county to which the elector seeks to
8 transfer. In lieu of executing a new affidavit of registration for a
9 change of address, the county elections official shall accept a
10 notice, a letter of the change of address signed by a voter as he or
11 she is registered, or written notice.

12 The former address shall be maintained with the voter record
13 and the registration of the voter shall be immediately updated.

14 (c) If the reregistration or transfer is from one county to another
15 county, the county elections official of the county in which the
16 voter was ~~former~~ *formerly* registered shall be notified and the
17 registration of the voter shall be immediately updated.

18 (d) The county elections official shall accept an affidavit of
19 registration or a notification for the forthcoming election and shall
20 immediately update the address on the voter's affidavit of
21 registration accordingly if the affidavit of registration or
22 notification is executed on or before the 15th day prior to the
23 election and if any of the following apply:

24 (1) The mailed affidavit of registration or notification is
25 postmarked on or before the 15th day prior to the election and
26 received by mail by the county elections official before the close
27 of the polls on election day.

28 (2) The affidavit of registration or notification is submitted to
29 the Department of Motor Vehicles or accepted by any other public
30 agency designated as a voter registration agency pursuant to the
31 federal National Voter Registration Act of 1993 (52 U.S.C. Sec.
32 20501 et seq.) on or before the 15th day prior to the election.

33 (3) The affidavit of registration or notification is delivered to
34 the county elections official by means other than those described
35 in paragraphs (1) and (2) on or before the 15th day prior to the
36 election.

37 (4) The affidavit is submitted electronically on the Internet Web
38 site of the Secretary of State pursuant to Section 2196 on or before
39 the 15th day prior to the election.

(e) If the registration, reregistration, or notification is executed during the 14 days before an election or is executed on or before the 15th day prior to the election, but does not meet any of the conditions set forth in subdivision (d), the registration of the voter or the update to the registration of the voter shall be immediately processed, but the voter will not be eligible to vote in that election.

(f) This section shall become operative on January 1, 2017.

SEC. 20. Section 2120 of the Elections Code is amended to read:

2120. (a) If the county elections official receives a letter from a voter stating that the voter has moved to a new address in another county in the state and the voter provides the new address, the elections official shall immediately update the voter's registration and the former address shall be maintained with the voter record.

(b) If the county elections official receives a letter from a voter stating that the voter has moved to a new address in another county in the state and the voter does not provide the new address, the elections official shall cancel the old registration for any election occurring at least 15 days after the receipt of the letter.

SEC. 21. Section 2135 of the Elections Code is repealed.

SEC. 22. Section 2136 of the Elections Code is repealed.

SEC. 23. Section 2137 of the Elections Code is repealed.

SEC. 24. Section 2139 of the Elections Code is amended to read:

2139. On the day of the close of registration for any election all individuals and organizations that have submitted plans for distribution shall immediately return all completed affidavits of registration in their possession to the county elections official. Unused affidavits shall be returned upon completion of the distribution plan.

SEC. 25. Section 2140 of the Elections Code is amended to read:

2140. The county elections official shall report to the district attorney of the county, under oath, the name of any individuals or organizations that have submitted plans for distribution who have not complied with this article.

SEC. 26. Section 2141 of the Elections Code is repealed.

SEC. 27. Section 2150 of the Elections Code, as amended by Section 8 of Chapter 1 of the Statutes of 2009, is amended to read:

2150. (a) The affidavit of registration shall show:

1 (1) The facts necessary to establish the affiant as an elector.

2 (2) The affiant's name at length, including his or her given
3 name, and a middle name or initial, or if the initial of the given
4 name is customarily used, then the initial and middle name. The
5 affiant's given name may be preceded, at affiant's option, by the
6 designation of ~~Miss, Ms., Mrs., or Mr.~~ "Miss," "Ms.," "Mrs.,"
7 or "Mr." A person shall not be denied the right to register because
8 of his or her failure to mark a prefix to the given name and shall
9 be so advised on the voter registration card. This subdivision shall
10 not be construed as requiring the printing of prefixes on an affidavit
11 of registration.

12 (3) The affiant's place of residence, residence telephone number,
13 if furnished, and ~~e-mail~~ *email* address, if furnished. No person
14 shall be denied the right to register because of his or her failure to
15 furnish a telephone number or ~~e-mail~~ *email* address, and shall be
16 so advised on the voter registration card.

17 (4) The affiant's mailing address, if different from the place of
18 residence.

19 (5) The affiant's date of birth to establish that he or she will be
20 at least 18 years of age on or before the date of the next election.

21 (6) The state or country of the affiant's birth.

22 (7) (A) In the case of an applicant who has been issued a current
23 and valid driver's license, the applicant's driver's license number.

24 (B) In the case of any other applicant, other than an applicant
25 to whom subparagraph (C) applies, the last *four* digits of the
26 applicant's social security number.

27 (C) If an applicant for voter registration has not been issued a
28 current and valid driver's license or a social security number, the
29 state shall assign the applicant a number that will serve to identify
30 the applicant for voter registration purposes. To the extent that the
31 state has a computerized list in effect under this subdivision and
32 the list assigns unique identifying numbers to registrants, the
33 number assigned under this subparagraph shall be the unique
34 identifying number assigned under the list.

35 (8) The affiant's political party preference.

36 (9) That the affiant is currently not imprisoned or on parole for
37 the conviction of a felony.

38 (10) A prior registration portion indicating whether the affiant
39 has been registered at another address, under another name, or as
40 preferring another party. If the affiant has been so registered, he

1 or she shall give an additional statement giving that address, name,
2 or party.

3 (b) The affiant shall certify the content of the affidavit as to its
4 truth and correctness, under penalty of perjury, with the signature
5 of his or her name and the date of signing. If the affiant is unable
6 to write, he or she shall sign with a mark or cross.

7 (c) The affidavit of registration shall also contain a space that
8 would enable the affiant to state his or her ethnicity or race, or
9 both. An affiant may not be denied the ability to register because
10 he or she declines to state his or her ethnicity or race.

11 (d) If any person assists the affiant in completing the affidavit,
12 that person shall sign and date the affidavit below the signature of
13 the affiant.

14 (e) The affidavit of registration shall also contain a space to
15 permit the affiant to apply for permanent vote by mail status.

16 (f) The Secretary of State may continue to supply existing
17 affidavits of registration to county elections officials prior to
18 printing new or revised forms that reflect the changes made to this
19 section by the act that added this subdivision.

20 SEC. 28. Section 2150 of the Elections Code, as amended by
21 Section 3 of Chapter 619 of the Statutes of 2014, is amended to
22 read:

23 2150. (a) The affidavit of registration shall show:

24 (1) The facts necessary to establish the affiant as an elector.

25 (2) The affiant's name at length, including his or her given
26 name, and a middle name or initial, or if the initial of the given
27 name is customarily used, then the initial and middle name. The
28 affiant's given name may be preceded, at affiant's option, by the
29 designation of ~~Miss, Ms., Mrs., or Mr.~~ "Miss," "Ms.," "Mrs.,"
30 or "Mr." A person shall not be denied the right to register because
31 of his or her failure to mark a prefix to the given name and shall
32 be so advised on the voter registration card. This subdivision shall
33 not be construed as requiring the printing of prefixes on an affidavit
34 of registration.

35 (3) The affiant's place of residence, residence telephone number,
36 if furnished, and ~~e-mail~~ email address, if furnished. A person shall
37 not be denied the right to register because of his or her failure to
38 furnish a telephone number or ~~e-mail~~ email address, and shall be
39 so advised on the voter registration card.

1 (4) The affiant's mailing address, if different from the place of
2 residence.

3 (5) The affiant's date of birth to establish that he or she will be
4 at least 18 years of age on or before the date of the next election.
5 In the case of an affidavit of registration submitted pursuant to
6 subdivision (d) of Section 2102, the affiant's date of birth to
7 establish that he or she is at least 16 years of age.

8 (6) The state or country of the affiant's birth.

9 (7) (A) In the case of an applicant who has been issued a current
10 and valid driver's license, the applicant's driver's license number.

11 (B) In the case of any other applicant, other than an applicant
12 to whom subparagraph (C) applies, the last four digits of the
13 applicant's social security number.

14 (C) If an applicant for voter registration has not been issued a
15 current and valid driver's license or a social security number, the
16 state shall assign the applicant a number that will serve to identify
17 the applicant for voter registration purposes. To the extent that the
18 state has a computerized list in effect under this subdivision and
19 the list assigns unique identifying numbers to registrants, the
20 number assigned under this subparagraph shall be the unique
21 identifying number assigned under the list.

22 (8) The affiant's political party preference.

23 (9) That the affiant is currently not imprisoned or on parole for
24 the conviction of a felony.

25 (10) A prior registration portion indicating whether the affiant
26 has been registered at another address, under another name, or as
27 preferring another party. If the affiant has been so registered, he
28 or she shall give an additional statement giving that address, name,
29 or party.

30 (b) The affiant shall certify the content of the affidavit as to its
31 truth and correctness, under penalty of perjury, with the signature
32 of his or her name and the date of signing. If the affiant is unable
33 to write, he or she shall sign with a mark or cross.

34 (c) The affidavit of registration shall also contain a space that
35 would enable the affiant to state his or her ethnicity or race, or
36 both. An affiant shall not be denied the ability to register because
37 he or she declines to state his or her ethnicity or race.

38 (d) If a person assists the affiant in completing the affidavit,
39 that person shall sign and date the affidavit below the signature of
40 the affiant.

1 (e) The affidavit of registration shall also contain a space to
2 permit the affiant to apply for permanent vote by mail status.

3 (f) The Secretary of State may continue to supply existing
4 affidavits of registration to county elections officials prior to
5 printing new or revised forms that reflect the changes made to this
6 section by the act that added this subdivision.

7 SEC. 29. Section 2155.3 of the Elections Code is amended to
8 read:

9 2155.3. (a) In lieu of the voter notification required by Section
10 2155, a person under 18 years of age who submits an affidavit of
11 registration pursuant to Section 2101 or subdivision (d) of Section
12 2102, as amended by the act adding this section shall be sent a
13 voter preregistration notice upon a determination that the affidavit
14 of registration is properly executed and that the person otherwise
15 satisfies all eligibility requirements to vote, except that he or she
16 is under 18 years of age. The county elections official shall send
17 the voter preregistration notice by nonforwardable, first-class mail,
18 address correction requested.

19 (b) The voter preregistration notice required by subdivision (a)
20 shall be substantially in the following form:

21
22 VOTER PREREGISTRATION NOTICE
23

24 Thank you for preregistering to vote. You may vote in any
25 election held on or after your 18th birthday.

26 Your party preference is: (Name of political party)

27 Before any election in which you are eligible to vote, you will
28 receive a sample ballot and voter pamphlet by mail.

29 If the information on this card is incorrect, please contact our
30 office or update your preregistration at the Internet Web site of
31 the Secretary of State.

32
33 SEC. 30. Section 2157 of the Elections Code is amended to
34 read:

35 2157. (a) Subject to this chapter, the paper affidavit of
36 registration shall be in a form prescribed by regulations adopted
37 by the Secretary of State. The affidavit shall comply with all of
38 the following:

39 (1) Contain the information prescribed in Section 2150.

1 (2) Allow for the inclusion of informational language to meet
2 the specific needs of that county, including, but not limited to, the
3 return address of the elections official in that county, and a
4 telephone number at which a voter can obtain elections information
5 in that county.

6 (3) Be included on one portion of a multipart card, to be known
7 as a voter registration card, the other portions of which shall include
8 information sufficient to facilitate completion and mailing of the
9 affidavit. The affidavit portion of the multipart card shall be
10 numbered according to regulations adopted by the Secretary of
11 State. For purposes of facilitating the distribution of voter
12 registration cards as provided in Section 2158, there shall be
13 attached to the affidavit portion a receipt. The receipt shall be
14 separated from the body of the affidavit by a perforated line.

15 (4) Contain, in a type size and color of ink that is clearly
16 distinguishable from surrounding text, a statement identical or
17 substantially similar to the following:

18 “Certain voters facing life-threatening situations may qualify
19 for confidential voter status. For more information, please contact
20 the Secretary of State’s Safe At Home program or visit the
21 Secretary of State’s Web site.”

22 (5) Contain, in a type size and color of ink that is clearly
23 distinguishable from surrounding text, a statement that the use of
24 voter registration information for commercial purposes is a
25 misdemeanor pursuant to subdivision (a) of Section 2194 and
26 Section 18109, and any suspected misuse shall be reported to the
27 Secretary of State.

28 (6) Contain a toll-free fraud hotline telephone number
29 maintained by the Secretary of State that the public may use to
30 report suspected fraudulent activity concerning misuse of voter
31 registration information.

32 (7) Be returnable to the county elections official as a
33 self-enclosed mailer with postage prepaid by the Secretary of State.

34 (b) Nothing contained in this division shall prevent the use of
35 voter registration cards and affidavits of registration in existence
36 on the effective date of this section and produced pursuant to
37 regulations of the Secretary of State, and all references to voter
38 registration cards and affidavits in this division shall be applied to
39 the existing voter registration cards and affidavits of registration.

(c) The Secretary of State may continue to supply existing affidavits of registration prior to printing new or revised forms that reflect the changes required pursuant to this section or Section 2150.

(d) An affidavit of registration shall not be submitted electronically on a county's Internet Web site. However, a county may provide a hyperlink on the county's Internet Web site to the Secretary of State's electronic voter registration system.

SEC. 31. Section 2158 of the Elections Code is amended to read:

2158. County elections officials shall do all of the following:

(a) Provide voter registration cards designed pursuant to subdivision (a) of Section 2157 for the registration of voters at his or her office and in a sufficient number of locations throughout the county for the convenience of persons desiring to register, to the end that registration may be maintained at a high level. The cards shall be available in all languages required by Section 203 (52 U.S.C. Sec. 10503) or Section 4(f)(4) (52 U.S.C. Sec. 10303(f)(4)) of the federal Voting Rights Act of 1965.

(b) Provide voter registration cards designed pursuant to subdivision (a) of Section 2157 in sufficient quantities to any individuals or organizations that wish to distribute the cards other than to persons who have been convicted of violating this section within the last five years. Individuals and organizations shall be permitted to distribute voter registration cards anywhere within the county.

(1) An individual or organization that distributes voter registration cards designed pursuant to subdivision (a) of Section 2157 shall obtain the voter registration cards from the county elections official or the Secretary of State. The individual or organization shall comply with all applicable regulations established by the Secretary of State when distributing the cards.

(2) If, after completing his or her voter registration card, an elector entrusts it to another person, the latter shall sign and date the attached, numbered receipt indicating his or her address and telephone number, if any, and give the receipt to the elector. Failure to comply with this paragraph shall not cause the invalidation of the registration of a voter.

(3) An individual or organization that distributes voter registration cards designed pursuant to subdivision (a) of Section

1 2157 shall give a voter registration card to any elector requesting
2 it, provided that the individual or organization has a sufficient
3 number of cards.

4 (4) If distribution of voter registration cards pursuant to this
5 subdivision is undertaken by mailing cards to persons who have
6 not requested the cards, the person mailing the cards shall enclose
7 a cover letter or other notice with each card instructing the
8 recipients to disregard the cards if they are currently registered
9 voters.

10 (c) Mail a voter registration card immediately to a person who
11 wishes to register to vote and requests a voter registration card.

12 SEC. 32. Section 2160 of the Elections Code is repealed.

13 SEC. 33. Section 2163 of the Elections Code is amended to
14 read:

15 2163. The Secretary of State shall prepare an appropriate voter
16 registration logo that may be displayed by offices, stores, and other
17 establishments indicating the availability of voter registration for
18 the public. The Secretary of State, upon request, shall provide these
19 logos free of charge to any interested person or organization.

20 SEC. 34. Section 2165 of the Elections Code is amended to
21 read:

22 2165. Affidavits of registration shall be processed immediately.

23 SEC. 35. Section 2166 of the Elections Code is amended to
24 read:

25 2166. (a) Any person filing with the county elections official
26 a new affidavit of registration or reregistration may have the
27 information relating to his or her residence address, telephone
28 number, and ~~e-mail~~ *email* address appearing on the affidavit, or
29 any list or roster or index prepared therefrom, declared confidential
30 upon order of a superior court issued upon a showing of good cause
31 that a life-threatening circumstance exists to the voter or a member
32 of the voter's household, and naming the county elections official
33 as a party.

34 (b) Any person granted confidential voter status under
35 subdivision (a) shall:

36 (1) Provide a valid mailing address and be considered a vote by
37 mail voter for all subsequent elections or until the county elections
38 official is notified otherwise by the court or in writing by the voter.
39 A voter requesting termination of vote by mail status thereby

1 consents to placement of his or her residence address, telephone
2 number, and ~~e-mail~~ *email* address in the roster of voters.

3 (2) The elections official, in producing any list, roster, or index
4 shall exclude voters with a confidential voter status.

5 (3) Within 60 days of moving to a new county, obtain an order
6 from the superior court of the new county pursuant to subdivision

7 (a). The elections official of the new county, upon notice of the
8 confidential voter moving into the county, shall do all of the
9 following:

10 (A) Contact the confidential voter and provide information
11 regarding the application for confidential voter status in the new
12 county.

13 (B) Honor the confidential voter status from the former county
14 for 60 days from the date of notice.

15 (C) Pursuant to paragraph (2) of subdivision (b), exclude the
16 confidential voter in any list, roster, or index during the 60-day
17 period.

18 (D) Remove the confidential voter status if the new voter has
19 not provided a court order to the new county during the 60-day
20 period.

21 (c) No action in negligence may be maintained against any
22 government entity or officer or employee thereof as a result of the
23 disclosure of the information which is the subject of this section
24 unless by a showing of gross negligence or willfulness.

25 SEC. 36. Section 2166.5 of the Elections Code is amended to
26 read:

27 2166.5. (a) Any person filing with the county elections official
28 a new affidavit of registration or reregistration may have the
29 information relating to his or her residence address, telephone
30 number, and ~~e-mail~~ *email* address appearing on the affidavit, or
31 any list or roster or index prepared therefrom, declared confidential
32 upon presentation of certification that the person is a participant
33 in the Address Confidentiality for Victims of Domestic Violence,
34 Sexual Assault, and Stalking program pursuant to Chapter 3.1
35 (commencing with Section 6205) of Division 7 of Title 1 of the
36 Government Code or a participant in the Address Confidentiality
37 for Reproductive Health Care Service Providers, Employees,
38 Volunteers, and Patients program pursuant to Chapter 3.2
39 (commencing with Section 6215) of that division.

1 (b) Any person granted confidential voter status under
2 subdivision (a) shall:

3 (1) Provide a valid mailing address and be considered a vote by
4 mail voter for all subsequent elections and all subsequent
5 reregistrations inside or outside the county until the county
6 elections official is notified otherwise by the Secretary of State or
7 in writing by the voter. A voter requesting termination of vote by
8 mail status thereby consents to placement of his or her residence
9 address, telephone number, and ~~e-mail~~ *email* address in the roster
10 of voters.

11 (2) The elections official, in producing any list, roster, or index
12 shall exclude voters with a confidential voter status.

13 (c) No action in negligence may be maintained against any
14 government entity or officer or employee thereof as a result of the
15 disclosure of the information that is the subject of this section
16 unless by a showing of gross negligence or willfulness.

17 (d) Subdivisions (a) and (b) shall not apply to any person granted
18 confidentiality upon receipt by the county elections official of a
19 written notice by the address confidentiality program manager of
20 the withdrawal, invalidation, expiration, or termination of the
21 program participant's certification.

22 SEC. 37. Section 2166.7 of the Elections Code is amended to
23 read:

24 2166.7. (a) If authorized by his or her county board of
25 supervisors, a county elections official shall, upon application of
26 a public safety officer, make confidential that officer's residence
27 address, telephone number, and ~~e-mail~~ *email* address appearing
28 on the affidavit of registration, in accordance with the terms and
29 conditions of this section.

30 (b) The application by the public safety officer shall contain a
31 statement, signed under penalty of perjury, that the person is a
32 public safety officer as defined in subdivision (f) and that a
33 life-threatening circumstance exists to the officer or a member of
34 the officer's family. The application shall be a public record.

35 (c) The confidentiality granted pursuant to subdivision (a) shall
36 terminate no more than two years after commencement, as
37 determined by the county elections official. The officer may submit
38 a new application for confidentiality pursuant to subdivision (a),
39 and the new request may be granted for an additional period of
40 not more than two years.

(d) Any person granted confidential voter status under subdivision (a) shall:

(1) Provide a valid mailing address and be considered a vote by mail voter for all subsequent elections or until the county elections official is notified otherwise by the Secretary of State or in writing by the voter. A voter requesting termination of vote by mail status thereby consents to placement of his or her residence address, telephone number, and ~~e-mail~~ *email* address in the roster of voters.

(2) The elections official, in producing any list, roster, or index, shall exclude voters with a confidential voter status.

(3) Within 60 days of moving to a new county, if available in the new county, apply for confidential voter status pursuant to subdivision (a). The elections official of the new county, upon notice of the confidential voter moving into the county, shall do all of the following:

(A) Contact the confidential voter and provide information regarding the application for confidential voter status in the new county.

(B) Honor the confidential voter status from the former county for 60-days from the date of notice.

(C) Pursuant to paragraph (2) of subdivision (b), exclude the confidential voter in any list, roster, or index during the 60-day period.

(D) Remove the confidential voter status if the new voter has ~~not provided a court order to~~ *obtained or cannot obtain confidential voter status pursuant to this section in* the new county during the 60-day period.

(e) No action in negligence may be maintained against any government entity or officer or employee thereof as a result of the disclosure of the information that is the subject of this section unless by a showing of gross negligence or willfulness.

(f) "A public safety officer" has the same meaning as defined in subdivision (a), (d), (e), (f), or (j) of Section 6254.24 of the Government Code.

SEC. 38. Section 2168 of the Elections Code is amended to read:

2168. The Secretary of State shall establish and maintain a statewide system to facilitate the reporting of election results and voter and candidate information, and to otherwise administer and enhance election administration.

1 SEC. 39. Section 2180 of the Elections Code is repealed.

2 SEC. 40. Section 2181 of the Elections Code is repealed.

3 SEC. 41. Section 2182 of the Elections Code is repealed.

4 SEC. 42. Section 2183 of the Elections Code is amended to
5 read:

6 2183. (a) The elections official shall supply an electronic copy,
7 or paper copy upon request, of the index and of supplements to
8 the index, necessary to bring it up to date, for all elections to be
9 held within the county. The county elections official shall also
10 supply copies of the index and supplements as may be requested
11 by the elections official of a city, school district or other body. The
12 name of each voter whose affidavit of registration has been
13 canceled shall be ~~shall be~~ removed from the index and supplement.
14 The county elections official may charge an amount sufficient to
15 reimburse the county for the expense incurred in preparing and
16 furnishing the indexes of registrations and supplements.

17 (b) (1) The index shall contain the name, address, residence
18 telephone number if furnished, and political *party* preference of
19 each voter, and also a ruled space to the left of each name, within
20 which to write, in figures, the line number designating the position
21 of the name of the voter on the roster of voters.

22 (2) The name shall include the given name and the middle name
23 or initials, if any. At the affiant's option, the given name may be
24 preceded by the designation "Miss," "Ms.," "Mrs.," or "Mr."

25 SEC. 43. Section 2184 of the Elections Code is amended to
26 read:

27 2184. Upon request of any Member of the Legislature, of
28 Congress, or any candidate who is to be voted for in the county,
29 in a city therein, or in a political subdivision of either, or upon
30 written demand of his or her campaign committee, of any
31 committee for or against any proposed ballot measure, or of any
32 committee for or against any referendum or initiative measure for
33 which legal publication has been made, the county elections official
34 shall furnish to the Member of the Legislature, of Congress, or to
35 either the candidate or his or her campaign committee or to the
36 ballot measure committee the index of the registration for the
37 primary and general elections in which the Member of the
38 Legislature or Congress may participate as a candidate, or for the
39 election in which the candidate will participate, or the ballot
40 measure will be voted upon, at a charge of fifty cents (\$0.50) per

1 thousand names. All moneys collected shall be deposited in the
2 county treasury to the credit of the general fund.

3 SEC. 44. Section 2185 of the Elections Code is amended to
4 read:

5 2185. Upon written request of the chair or vice chair of a party
6 state central committee or of the chair of a party county central
7 committee, the county elections official shall furnish to each
8 committee, without charge therefor, the index of registration for
9 the primary and general elections, for any special election at which
10 a partisan office is to be filled, or for any statewide special election.
11 The county elections official shall furnish one copy per election
12 in an electronic form, or in paper form upon request, of the indexes
13 specified in this section.

14 SEC. 45. Section 2187 of the Elections Code is amended to
15 read:

16 2187. (a) Each county elections official shall provide notice
17 to the Secretary of State that the following information is available:

- 18 (1) The total number of voters in the county.
- 19 (2) The number registered as preferring each qualified political
20 party.
- 21 (3) The number registered as preferring nonqualified parties.
- 22 (4) The number registered without choosing a political party
23 preference.
- 24 (5) The number of voters by political *party* preferences in each
25 of the following political subdivisions, located in whole or in part
26 within the county:
 - 27 (A) A supervisorial district.
 - 28 (B) Congressional district.
 - 29 (C) Senate district.
 - 30 (D) Assembly district.
 - 31 (E) Board of Equalization district.
 - 32 (F) Cities and unincorporated areas.

33 (b) The Secretary of State, within 30 days after receiving the
34 information specified in subdivision (a), shall compile a statewide
35 list showing the number of voters, by party preferences, in the state
36 and in each county, city, supervisorial district, Assembly district,
37 Senate district, and congressional district in the state. A copy of
38 this list shall be made available, upon request, to any elector in
39 this state.

1 (c) The county elections officials shall prepare the information
2 referenced in subdivision (a) and provide notice to the Secretary
3 of State at the following times:

4 (1) On the 135th day before each presidential primary and before
5 each direct primary, with respect to voters registered on the 154th
6 day before the primary election.

7 (2) Not less than 50 days prior to the primary election, with
8 respect to voters registered on the 60th day before the primary
9 election.

10 (3) Not less than seven days prior to the primary election, with
11 respect to voters registered before the 14th day prior to the primary
12 election.

13 (4) Not less than 102 days prior to each presidential general
14 election, with respect to voters registered before the 123rd day
15 before the presidential general election.

16 (5) Not less than 50 days prior to the general election, with
17 respect to voters registered on the 60th day before the general
18 election.

19 (6) Not less than seven days prior to the general election, with
20 respect to voters registered before the 14th day prior to the general
21 election.

22 (7) On or before March 1 of each odd-numbered year, with
23 respect to voters registered as of February 10.

24 (d) The Secretary of State may adopt regulations prescribing
25 additional regular reporting times, except that the total number of
26 reporting times in any one calendar year shall not exceed 12.

27 SEC. 46. Section 2188 of the Elections Code is amended to
28 read:

29 2188. (a) Any application for voter registration information
30 available pursuant to law and maintained by the Secretary of State
31 or by the elections official of any county shall be made pursuant
32 to this section.

33 (b) The application shall set forth all of the following:

34 (1) The printed or typed name of the applicant in full.

35 (2) The complete residence address and complete business
36 address of the applicant, giving street and number. If no street or
37 number exists, a postal mailing address as well as an adequate
38 designation sufficient to readily ascertain the location.

39 (3) The telephone number of the applicant, if one exists.

1 (4) The number of the applicant's driver's license, state
2 identification card, or other identification approved by the Secretary
3 of State if the applicant does not have a driver's license or state
4 identification card.

5 (5) The specific information requested.

6 (6) A statement of the intended use of the information requested.

7 (c) If the application is on behalf of a person other than the
8 applicant, the applicant shall, in addition to the information
9 required by subdivision (b), set forth all of the following:

10 (1) The name of the person, organization, company, committee,
11 association, or group requesting the voter registration information,
12 including their complete mailing address and telephone number.

13 (2) The name of the person authorizing or requesting the
14 applicant to obtain the voter registration information.

15 (d) The elections official shall request the applicant to display
16 his or her identification for purposes of verifying that identifying
17 numbers of the identification document match those written by
18 the applicant on the application form.

19 (e) The applicant shall certify to the truth and correctness of the
20 content of the application, under penalty of perjury, with the
21 signature of his or her name at length, including given name,
22 middle name or initial, or initial and middle name. The applicant
23 shall state the date and place of execution of the declaration.

24 (f) Completed applications for voter registration information
25 shall be retained by the elections official for five years from the
26 date of application.

27 (g) This section shall not apply to requests for information by
28 elections officials for election purposes or by other public agencies
29 for governmental purposes.

30 (h) The Secretary of State may prescribe additional information
31 to be included in the application for voter registration information.

32 (i) A county may not provide information for any political
33 subdivision that is not wholly or partially contained within that
34 county.

35 SEC. 47. Section 2188.1 of the Elections Code is amended to
36 read:

37 2188.1. The Secretary of State ~~shall~~ may insert fictitious names
38 of voters into the voter registration information database as an
39 investigative and enforcement tool for determining inappropriate
40 or unauthorized uses of voter registration information.

1 SEC. 48. Section 2188.5 of the Elections Code is amended to
2 read:

3 2188.5. (a) A person who requests voter information pursuant
4 to Section 2188 or who obtains signatures or other information
5 collected for an initiative, referendum, political party qualification,
6 or recall petition shall not send that information outside of the
7 United States or make it available in any way electronically to
8 persons outside the United States, including, but not limited to,
9 access over the Internet.

10 (b) For purposes of this section, “United States” includes each
11 of the several states of the United States, the District of Columbia,
12 and the territories and possessions of the United States.

13 SEC. 49. Section 2190 of the Elections Code is repealed.

14 SEC. 50. Section 2191 of the Elections Code is amended to
15 read:

16 2191. Upon request, the elections official shall compile an
17 index, list, or file, by precinct, of all persons who voted in previous
18 elections. This information shall be compiled in conjunction with
19 the purge of voter registration files conducted pursuant to Article
20 2 (commencing with Section 2220) of Chapter 3.

21 Information compiled pursuant to this section shall include that
22 information which is required to appear in the index as set forth
23 in Section 2183.

24 Any person, candidate, or committee who is entitled to obtain a
25 copy of any information contained in this article shall, upon written
26 request to the elections official, be entitled to obtain the index, list,
27 or file compiled pursuant to this section. The elections official
28 shall inform any recipient of this information as to whether the
29 index, list, or file includes a voting history of vote by mail voters.
30 The elections official may require the payment of a fee not to
31 exceed the cost of duplicating the information as a condition to
32 furnishing the information contained in this section.

33 SEC. 51. Section 2192 of the Elections Code is repealed.

34 SEC. 52. Section 2193 of the Elections Code is amended to
35 read:

36 2193. The Secretary of State shall, from the information
37 furnished by the county elections officials pursuant to Section
38 2187, identify possible duplicate voter registrations. Those voter
39 registrations determined to be duplicates ~~may~~ *shall* be merged and

1 the voter registration bearing the most recent date shall be the
2 active record for that voter.

3 SEC. 53. Section 2194 of the Elections Code is amended to
4 read:

5 2194. (a) Except as provided in Section 2194.1, the affidavit
6 of voter registration information identified in Section 6254.4 of
7 the Government Code:

8 (1) Shall be confidential and shall not appear on any computer
9 terminal, list, affidavit, duplicate affidavit, or other medium
10 routinely available to the public at the county elections official's
11 office.

12 (2) Shall not be used for any personal, private, or commercial
13 purpose, including, but not limited to:

14 (A) The harassment of any voter or voter's household.

15 (B) The advertising, solicitation, sale, or marketing of products
16 or services to any voter or voter's household.

17 (C) Reproduction in print, broadcast visual or audio, or display
18 on the Internet or any computer terminal unless pursuant to
19 paragraph (3).

20 (3) Shall be provided with respect to any voter, subject to the
21 provisions of Sections 2166, 2166.5, 2166.7, and 2188, to any
22 candidate for federal, state, or local office, to any committee for
23 or against any initiative or referendum measure for which legal
24 publication is made, and to any person for election, scholarly,
25 journalistic, or political purposes, or for governmental purposes,
26 as determined by the Secretary of State.

27 (b) (1) Notwithstanding any other law, the California driver's
28 license number, the California identification card number, the
29 social security number, and any other unique identifier used by
30 the State of California for purposes of voter identification shown
31 on the affidavit of voter registration of a registered voter, or added
32 to voter registration records to comply with the requirements of
33 the federal Help America Vote Act of 2002 (52 U.S.C. Sec. 20901
34 et seq.), are confidential and shall not be disclosed to any person.

35 (2) Notwithstanding any other law, the signature of the voter
36 shown on the affidavit of voter registration or an image thereof is
37 confidential and shall not be disclosed to any person, except as
38 provided in subdivision (c).

39 (c) (1) The home address or signature of any voter shall be
40 released whenever the person's vote is challenged pursuant to

1 Sections 15105 to 15108, inclusive, or Article 3 (commencing
2 with Section 14240) of Chapter 3 of Division 14. The address or
3 signature shall be released only to the challenger, to elections
4 officials, and to other persons as necessary to make, defend against,
5 or adjudicate the challenge.

6 (2) An elections official shall permit a person to view the
7 signature of a voter for the purpose of determining whether the
8 signature matches a signature on an affidavit of registration or an
9 image thereof or a petition, but shall not permit a signature to be
10 copied.

11 (d) A governmental entity, or officer or employee thereof, shall
12 not be held civilly liable as a result of disclosure of the information
13 referred to in this section, unless by a showing of gross negligence
14 or willfulness.

15 (e) For the purposes of this section, “voter’s household” is
16 defined as the voter’s place of residence or mailing address or any
17 persons who reside at the place of residence or use the mailing
18 address as supplied on the affidavit of registration pursuant to
19 paragraphs (3) and (4) of subdivision (a) of Section 2150.

20 SEC. 54. Section 2196 of the Elections Code is amended to
21 read:

22 2196. (a) (1) Notwithstanding any other provision of law, a
23 person who is qualified to register to vote and who has a valid
24 California driver’s license or state identification card may submit
25 an affidavit of voter registration electronically on the Internet Web
26 site of the Secretary of State.

27 (2) An affidavit submitted pursuant to this section is effective
28 upon receipt of the affidavit by the Secretary of State if the affidavit
29 is received on or before the last day to register for an election to
30 be held in the precinct of the person submitting the affidavit.

31 (3) The affiant shall affirmatively attest to the truth of the
32 information provided in the affidavit.

33 (4) For voter registration purposes, the applicant shall
34 affirmatively assent to the use of his or her signature from his or
35 her driver’s license or state identification card.

36 (5) For each electronic affidavit, the Secretary of State shall
37 obtain an electronic copy of the applicant’s signature from his or
38 her driver’s license or state identification card directly from the
39 Department of Motor Vehicles.

1 (6) The Secretary of State shall require a person who submits
2 an affidavit pursuant to this section to submit all of the following:

3 (A) The number from his or her California driver's license or
4 state identification card.

5 (B) His or her date of birth.

6 (C) The last four digits of his or her social security number.

7 (D) Any other information the Secretary of State deems
8 necessary to establish the identity of the affiant.

9 (7) Upon submission of an affidavit pursuant to this section, the
10 electronic voter registration system shall provide for immediate
11 verification of both of the following:

12 (A) That the applicant has a California driver's license or state
13 identification card and that the number for that driver's license or
14 identification card provided by the applicant matches the number
15 for that person's driver's license or identification card that is on
16 file with the Department of Motor Vehicles.

17 (B) That the date of birth provided by the applicant matches the
18 date of birth for that person that is on file with the Department of
19 Motor Vehicles.

20 (8) The Secretary of State shall employ security measures to
21 ensure the accuracy and integrity of voter registration affidavits
22 submitted electronically pursuant to this section.

23 (b) The Department of Motor Vehicles shall utilize the electronic
24 voter registration system required by this section to comply with
25 its duties and responsibilities as a voter registration agency pursuant
26 to the federal National Voter Registration Act of 1993 (52 U.S.C.
27 Sec. 20501 et seq.).

28 (c) The Department of Motor Vehicles and the Secretary of
29 State shall maintain a process and the infrastructure to allow the
30 electronic copy of the applicant's signature and other information
31 required under this section that is in the possession of the
32 department to be transferred to the Secretary of State and to the
33 county election management systems to allow a person who is
34 qualified to register to vote in California to register to vote under
35 this section.

36 (d) If an applicant cannot electronically submit the information
37 required pursuant to paragraph (6) of subdivision (a), he or she
38 shall nevertheless be able to complete the affidavit of voter
39 registration electronically on the Secretary of State's Internet Web
40 site, print a hard copy of the completed affidavit, and mail or

1 deliver the hard copy of the completed affidavit to the Secretary
2 of State or the appropriate county elections official.

3 SEC. 55. Section 2200 of the Elections Code is amended to
4 read:

5 2200. The registration of a voter is permanent for all purposes
6 during his or her life, unless and until the affidavit of registration
7 is canceled by the Secretary of State or the county elections official
8 for any of the causes specified in this article.

9 SEC. 56. Section 2201 of the Elections Code is amended to
10 read:

11 2201. (a) The county elections official shall cancel the
12 registration in the following cases:

13 (1) At the signed, written request of the person registered.

14 (2) When the mental incompetency of the person registered is
15 legally established as provided in Sections 2208, 2209, 2210, and
16 2211.

17 (3) Upon proof that the person is presently imprisoned or on
18 parole for conviction of a felony.

19 (4) Upon the production of a certified copy of a judgment
20 directing the cancellation to be made.

21 (5) Upon the death of the person registered.

22 (6) Pursuant to Article 2 (commencing with Section 2220).

23 (7) Upon official notification that the voter is registered to vote
24 in another ~~county~~ or state.

25 (8) Upon proof that the person is otherwise ineligible to vote.

26 (b) The Secretary of State may cancel the registration in the
27 following cases:

28 (1) When the mental incompetency of the person registered is
29 legally established as provided in Sections 2208, 2209, 2210, and
30 2211.

31 (2) Upon proof that the person is presently imprisoned or on
32 parole for *the* conviction of a felony.

33 (3) Upon the death of the person registered.

34 SEC. 57. Section 2202 of the Elections Code is amended to
35 read:

36 2202. (a) The county elections official shall preserve all
37 uncanceled affidavits of registration in a secure manner that will
38 protect the confidentiality of the voter information consistent with
39 Section 2194.

1 The affidavits of registration shall constitute the register required
2 to be kept by Article 5 (commencing with Section 2183) of Chapter
3 2.

4 (b) In lieu of maintaining uncanceled affidavits of registration,
5 the county elections official may microfilm, record on optical disc,
6 or record on any other electronic medium that does not permit
7 additions, deletions, or changes to the original document, the
8 uncanceled affidavits of registration. Any such use of an electronic
9 medium to record uncanceled affidavits shall protect the security
10 and confidentiality of the voter information. The county elections
11 official may dispose of any uncanceled affidavits of registration
12 transferred pursuant to this section. The disposal of any uncanceled
13 affidavits shall be performed in a manner that does not compromise
14 the security or confidentiality of the voter information contained
15 therein. For purposes of this section, a duplicate copy of an
16 affidavit of registration shall be deemed an original. The Secretary
17 of State may adopt appropriate regulations for the purpose of this
18 section.

19 SEC. 58. Section 2203 of the Elections Code is repealed.

20 SEC. 59. Section 2204 of the Elections Code is repealed.

21 SEC. 60. Section 2206 of the Elections Code is amended to
22 read:

23 2206. The Secretary of State shall adopt regulations to facilitate
24 the availability of death statistics from the State Department of
25 Health Services. The data shall be used by the Secretary of State
26 or county elections officials in canceling the affidavit of registration
27 of deceased persons.

28 SEC. 61. Section 2208 of the Elections Code is amended to
29 read:

30 2208. (a) A person shall be deemed mentally incompetent,
31 and therefore disqualified from voting, if, during the course of any
32 of the proceedings set forth below, the court finds that the person
33 is not capable of completing an affidavit of voter registration in
34 accordance with Section 2150 and any of the following apply:

35 (1) A conservator for the person or the person and estate is
36 appointed pursuant to Division 4 (commencing with Section 1400)
37 of the Probate Code.

38 (2) A conservator for the person or the person and estate is
39 appointed pursuant to Chapter 3 (commencing with Section 5350)
40 of Part 1 of Division 5 of the Welfare and Institutions Code.

1 (3) A conservator is appointed for the person pursuant to
2 proceedings initiated under Section 5352.5 of the Welfare and
3 Institutions Code, the person has been found not competent to
4 stand trial, and the person's trial or judgment has been suspended
5 pursuant to Section 1370 of the Penal Code.

6 (4) A person has plead not guilty by reason of insanity, has been
7 found to be not guilty pursuant to Section 1026 of the Penal Code,
8 and is deemed to be gravely disabled at the time of judgment as
9 defined in paragraph (2) of subdivision (h) of Section 5008 of the
10 Welfare and Institutions Code.

11 (b) If the proceeding under the Welfare and Institutions Code
12 is heard by a jury, the jury shall unanimously find that the person
13 is not capable of completing an affidavit of voter registration before
14 the person shall be disqualified from voting.

15 (c) If an order establishing a conservatorship is made and in
16 connection with the order it is found that the person is not capable
17 of completing an affidavit of voter registration, the court shall
18 forward the order and determination to the Secretary of State *and*
19 *the county elections official of the person's county of residence* in
20 the format prescribed by the Secretary of State.

21 (d) A person shall not be disqualified from voting pursuant to
22 this section on the basis that he or she does, or would need to do,
23 any of the following to complete an affidavit of voter registration:

24 (1) Signs the affidavit of voter registration with a mark or a
25 cross pursuant to subdivision (b) of Section 2150.

26 (2) Signs the affidavit of voter registration by means of a
27 signature stamp pursuant to Section 354.5.

28 (3) Completes the affidavit of voter registration with the
29 assistance of another person pursuant to subdivision (d) of Section
30 2150.

31 SEC. 62. Section 2209 of the Elections Code is amended to
32 read:

33 2209. (a) For conservatorships established pursuant to Division
34 4 (commencing with Section 1400) of the Probate Code, the court
35 investigator shall, during the yearly or biennial review of the
36 conservatorship as required by Chapter 2 (commencing with
37 Section 1850) of Part 3 of Division 4 of the Probate Code, review
38 the person's capability of completing an affidavit of voter
39 registration in accordance with Section 2150.

(b) (1) If the person had been disqualified from voting by reason of being incapable of completing an affidavit of voter registration, the court investigator shall determine whether the person has become capable of completing the affidavit in accordance with Section 2150 and subdivision (d) of Section 2208, and the investigator shall so inform the court.

(2) If the investigator finds that the person is capable of completing the affidavit in accordance with Section 2150 and subdivision (d) of Section 2208, the court shall hold a hearing to determine whether the person is in fact capable of completing the affidavit. If the person is found to be capable of completing the affidavit, the person's right to register to vote shall be restored, and the court shall so notify the Secretary of State *and the county elections official* in the format prescribed by the Secretary of State.

(c) If the person had not been found to be incapable of completing an affidavit of voter registration, and the court investigator determines that the person is no longer capable of completing the affidavit in accordance with Section 2150 and subdivision (d) of Section 2208, the investigator shall so notify the court. The court shall hold a hearing to determine whether the person is capable of completing an affidavit of voter registration in accordance with Section 2150 and subdivision (d) of Section 2208. If the court determines that the person is not so able, the court shall order the person to be disqualified from voting pursuant to Section 2208, and the court shall so notify the Secretary of State *and the county elections official* in the format prescribed by the Secretary of State.

SEC. 63. Section 2210 of the Elections Code is amended to read:

2210. (a) If the person or the person and estate is under a conservatorship established pursuant to Chapter 3 (commencing with Section 5350) of Part 1 of Division 5 of the Welfare and Institutions Code, the person may contest his or her disqualification from voting pursuant to the procedure set forth in Section 5358.3 of the Welfare and Institutions Code.

(b) When the conservatorship described in subdivision (a) terminates after one year, the person's right to register to vote shall also be automatically restored and notification *shall be made* to the Secretary of State *and the county elections official* in the format prescribed by the Secretary of State. If a petition is filed for the

1 reappointment of the conservator, a new determination shall be
2 made as to whether the person should be disqualified from voting.

3 (c) If the right to vote is restored pursuant to Section 5358.3 of
4 the Welfare and Institutions Code or if the conservatorship is
5 terminated in a proceeding held pursuant to Section 5364 of the
6 Welfare and Institutions Code, the court shall notify the Secretary
7 of State *and the county elections official of the person's county of*
8 *residence* in the format *prescribed by the Secretary of State* that
9 the person's right to register to vote is restored.

10 SEC. 64. Section 2211 of the Elections Code is amended to
11 read:

12 2211. (a) Any person who (1) has plead not guilty by reason
13 of insanity and who has been found to be not guilty pursuant to
14 Section 1026 of the Penal Code, (2) has been found incompetent
15 to stand trial and whose trial or judgment has been suspended
16 pursuant to Section 1370 of the Penal Code, (3) has been convicted
17 of a felony and who was judicially determined to be a mentally
18 disordered sex offender pursuant to former Section 6300 of the
19 Welfare and Institutions Code, as repealed by Chapter 928 of the
20 Statutes of 1981, or (4) has been convicted of a felony and is being
21 treated at a state hospital pursuant to Section 2684 of the Penal
22 Code shall be disqualified from voting or registering to vote during
23 that time that the person is involuntarily confined, pursuant to a
24 court order, in a public or private facility.

25 (b) Upon the order of commitment to a treatment facility referred
26 to in subdivision (a), the court shall notify the Secretary of State
27 *and the county elections official of the person's county of residence*
28 in the format prescribed by the Secretary of State and order the
29 person to be disqualified from voting or registering to vote.

30 (c) If the person is later released from the public or private
31 treatment facility, the court shall notify the Secretary of State *and*
32 *the county elections official of the person's county of residence* in
33 the format prescribed by the Secretary of State that the right of the
34 person to register to vote is restored.

35 SEC. 65. Section 2212 of the Elections Code is amended to
36 read:

37 2212. The clerk of the superior court of each county, on the
38 basis of the records of the court, shall furnish to the Secretary of
39 State *and the county elections official* in the format prescribed by
40 the Secretary of State, not less frequently than the first day of every

1 month, a statement showing the names, addresses, and dates of birth of all persons who have been convicted of felonies since the clerk's last report. The Secretary of State *or county elections official* shall cancel the affidavits of registration of those persons who are currently imprisoned or on parole for the conviction of a felony. The clerk shall certify the statement under the seal of the court.

SEC. 66. Section 2221 of the Elections Code is amended to read:

2221. (a) Based on the postal notices on the returned residency confirmation postcards received pursuant to Section 2220, the county elections official shall take the following actions:

(1) The affidavits of registration of persons whose residency confirmation postcards are returned by the post office as undeliverable and who have no forwarding address shall be placed in the inactive file pursuant to paragraph (2) of subdivision (a) of Section 2226. These persons shall be mailed the confirmation notices described in subdivision (c) of Section 2225.

(2) The affidavits of registration of persons for whom forwarding addresses within the county or outside the county are received shall be immediately updated to reflect the new address provided by the post office and the former address shall be maintained with the voter record. These persons shall be mailed the confirmation notices described in subdivision (b) of Section 2225.

(b) All updates to affidavits of registration made pursuant to this section shall be reflected on the voter index as required by Section 2191.

SEC. 67. Section 2224 of the Elections Code is amended to read:

2224. (a) If a voter has not voted in an election within the preceding four years, and his or her residence address, name, or party preference has not been updated during that time, the county elections official may send an alternate residency confirmation postcard. The use of this postcard may be sent subsequent to NCOA or sample ballot returns, but shall not be used in the residency confirmation process conducted under Section 2220. The postcard shall be forwardable, including a postage-paid and preaddressed return form to enable the voter to verify or correct the address information, and shall be in substantially the following form:

1 “If the person named on the postcard is not at this address,
2 PLEASE help keep the voter rolls current and save taxpayer dollars
3 by returning this postcard to your mail carrier.”

4 “IMPORTANT NOTICE”

5 “According to our records you have not voted in any election
6 during the past four years, which may indicate that you no longer
7 reside in ____ County. If you continue to reside in California you
8 must confirm your residency address in order to remain on the
9 active voter list and receive election materials in the mail.”

10 “If confirmation has not been received within 15 days, you may
11 be required to provide proof of your residence address in order to
12 vote at future elections.”

13 (b) The use of a toll-free number to confirm the old residence
14 address is optional. Any change to a voter’s address shall be
15 received in writing.

16 (c) A county using the alternate residency confirmation
17 procedure shall notify all voters of the procedure in the sample
18 ballot pamphlet or in a separate mailing.

19 SEC. 68. Section 2225 of the Elections Code is amended to
20 read:

21 2225. (a) Based on change-of-address data received from the
22 United States Postal Service or its licensees, the county elections
23 official shall send a forwardable notice, including a postage-paid
24 and preaddressed return form, to enable the voter to verify or
25 correct address information.

26 Notification received through NCOA or Operation Mail that a
27 voter has moved and has given no forwarding address shall not
28 require the mailing of a forwardable notice to that voter.

29 (b) If postal service change-of-address data indicates that the
30 voter has moved to a new residence address in California, the
31 forwardable notice shall be in substantially the following form:

32
33 “We have received notification that you have moved to a new
34 residence address in California. You will be registered to vote at
35 your new address unless you notify our office within 15 days that
36 the address to which this card was mailed is not a change of your
37 permanent residence. You must notify our office by either returning
38 the attached postage-paid postcard, or by calling toll free. If this
39 is not a permanent residence, and if you do not notify us within

1 15 days, you may be required to provide proof of your residence
2 address in order to vote at future elections.”

3
4
5 (c) If postal service change-of-address data received from a
6 nonforwardable mailing indicates that a voter has moved and left
7 no forwarding address, a forwardable notice shall be sent in
8 substantially the following form:

9
10 “We are attempting to verify postal notification that the voter to
11 whom this card is addressed has moved and left no forwarding
12 address. If the person receiving this card is the addressed voter,
13 please confirm your continued residence or provide current
14 residence information on the attached postage-paid postcard within
15 15 days. If you do not return this card and continue to reside in
16 California, you may be required to provide proof of your residence
17 address in order to vote at future elections and, if you do not offer
18 to vote at any election in the period between the date of this notice
19 and the second federal general election following this notice, your
20 voter registration will be cancelled and you will have to reregister
21 in order to vote.”

22
23 (d) The use of a toll-free number to confirm the old residence
24 address is optional. Any change to the voter address must be
25 received in writing.

26 SEC. 69. Section 2226 of the Elections Code is amended to
27 read:

28 2226. (a) Based on change-of-address information received
29 pursuant to Sections 2220 to 2225, inclusive, or change-of-address
30 information provided directly by the voter, the county elections
31 official shall take the following actions as appropriate:

32 (1) If the information indicates the voter has moved to a new
33 residence address in California, the county elections official shall
34 immediately update the voter’s registration.

35 (2) If the mailings have been returned as undeliverable, or if
36 the voter fails to confirm his or her address as required by Section
37 2224, the county elections official may place the voter’s name on
38 the inactive file of registered voters who do not receive election
39 materials and are not included in calculations to determine the
40 number of signatures required for qualification of candidates and

1 measures, precinct size, or other election administration-related
2 processes.

3 (b) The voter registration of any voter whose name has been
4 placed on the inactive file of registered voters for failure to respond
5 to an address verification mailing required by Section 2225, and
6 who does not offer to vote or vote at any election between the date
7 of the mailing and two federal general elections after the date of
8 that mailing, may be canceled.

9 (c) Any voter whose name has been placed on the inactive file
10 of registered voters and offers to vote at any election between the
11 date of the verification notice, and two federal general elections
12 after the date of notice, or who notifies the elections official of a
13 continued residency, shall be removed from the inactive file and
14 placed on the active voter file.

15 (d) All address updates, cancellations, and inactive transactions
16 made to the voter registration file pursuant to this section shall be
17 reflected on the voter index as required by Section 2191.

18 SEC. 70. Section 2227 of the Elections Code is amended to
19 read:

20 2227. (a) In lieu of mailing a residency confirmation postcard,
21 as prescribed in subdivision (a) of Section 2220, the county
22 elections official may contract with a consumer credit reporting
23 agency or its licensees to obtain use of change-of-address data in
24 accordance with this section.

25 (b) If the county elections official contracts with a consumer
26 credit reporting agency or its licensees pursuant to subdivision (a),
27 all of the following shall occur:

28 (1) For each registered voter in the county, the county elections
29 official shall initiate a search for change-of-address data with the
30 consumer credit reporting agency or its licensees by providing the
31 name and residence address of each registered voter in the county
32 to the consumer credit reporting agency or its licensees.

33 (2) The consumer credit reporting agency or its licensees shall
34 search their databases for each name and address provided by the
35 county elections official and shall report to the county elections
36 official any information indicating that the registered voter changed
37 his or her residence address.

38 (c) (1) Notwithstanding Section 2194 of this code or Section
39 6254.4 of the Government Code, and except as provided in
40 paragraph (2), a county elections official may disclose a registered

1 voter's name and residence address to a consumer credit reporting
2 agency or its licensees pursuant to, and in accordance with, this
3 section.

4 (2) A county elections official shall not disclose to a consumer
5 credit reporting agency or its licensees the name and residence
6 address of a registered voter if that information is deemed
7 confidential pursuant to Section 2166, 2166.5, or 2166.7 of this
8 code, or Chapter 3.1 (commencing with Section 6205) of Division
9 7 of Title 1 of the Government Code.

10 (d) A consumer credit reporting agency or its licensees shall
11 use the information provided by a county elections official only
12 pursuant to paragraph (2) of subdivision (b), and shall not retain
13 any information received from the county elections official
14 pursuant to this section.

15 (e) Based on change-of-address data received from a consumer
16 credit reporting agency or its licensees, the county elections official
17 shall send a forwardable notice, including a postage-paid and
18 preaddressed return form, which may be in the form of a postcard,
19 to the registered voter to enable the voter to verify or correct
20 address information. The forwardable notice shall be in
21 substantially the following form:

22
23 "We have received notification that you have moved to a new
24 residence address in ____ County. You will remain registered to
25 vote at your old address unless you notify our office that the
26 address to which this card was mailed is a change of your
27 permanent residence. Please notify our office in writing by
28 returning the attached postage-paid postcard. If this is not a
29 permanent residence, and you do not wish to change your address
30 for voting purposes, please disregard this notice."

31
32 (f) The county elections official shall take all of the following
33 actions as appropriate:

34 (1) If a voter responds to the forwardable notice sent pursuant
35 to subdivision (e) or otherwise verifies in a signed writing that he
36 or she has moved to a new residence address in California, the
37 county elections official shall verify the signature on the response
38 by comparing it to the signature on file for the voter and, if
39 appropriate, immediately update the voter's registration with the
40 new residence address.

1 (2) If a voter does not respond to the forwardable notice sent
2 pursuant to subdivision (e) and does not otherwise verify in a
3 signed writing that he or she has moved to a new residence address,
4 the elections official shall not place the voter's name on the inactive
5 file of registered voters or cancel the voter registration.

6 (g) For purposes of this section, "consumer credit reporting
7 agency" has the same meaning as set forth in subdivision (d) of
8 Section 1785.3 of the Civil Code.

9 *SEC. 71. Section 3009 of the Elections Code is amended to*
10 *read:*

11 3009. (a) Upon receipt of any vote by mail ballot application
12 signed by the voter that arrives within the proper time, the elections
13 official should determine if the signature and residence address
14 on the ballot application appear to be the same as that on the
15 original affidavit of registration. The elections official may make
16 this signature check upon receiving the voted ballot, but the
17 signature must be compared before the vote by mail voter ballot
18 is canvassed.

19 (b) If the elections official deems the applicant entitled to a vote
20 by mail voter's ballot he or she shall deliver by mail or in person
21 the appropriate ballot. The ballot may be delivered to the applicant,
22 his or her spouse, child, parent, grandparent, grandchild, or sibling,
23 or a person residing in the same household as the vote by mail
24 voter, except that in no case shall the ballot be delivered to an
25 individual under 16 years of age. The elections official shall deliver
26 the vote by mail ballot to the applicant's spouse, child, parent,
27 grandparent, grandchild, or sibling, or a person residing in the
28 same household as the vote by mail voter only if that person signs
29 a statement attested to under penalty of perjury that provides the
30 name of the applicant and his or her relationship to the applicant,
31 and affirms that he or she is 16 years of age or older, and is
32 authorized by the applicant to deliver the vote by mail ballot.

33 (c) If the elections official determines that an application does
34 not contain all of the information prescribed in Section 3001 or
35 3006, or for any other reason is defective, and the elections official
36 is able to ascertain the voter's address, the elections official shall,
37 within one working day of receiving the application, mail the voter
38 a vote by mail voter's ballot together with a notice. The notice
39 shall inform the voter that the voter's vote by mail voter's ballot
40 shall not be counted unless the applicant provides the elections

1 official with the missing information or corrects the defects prior
2 to, or at the time of, receipt of the voter's executed vote by mail
3 voter's ballot. The notice shall specifically inform the voter of the
4 information that is required or the reason for the defects in the
5 application, and shall state the procedure necessary to remedy the
6 defective application.

7 If the voter substantially complies with the requirements
8 contained in the elections official's notice, the voter's ballot shall
9 be counted.

10 In determining from the records of registration if the signature
11 and residence address on the application appear to be the same as
12 that on the original affidavit of registration, the elections official
13 or registrar of voters may use ~~the duplicate file of affidavits of~~
14 ~~registered voters or the facsimiles of voter's signatures~~ *any file or*
15 *list of registered voters*, provided that the method of preparing and
16 displaying the ~~facsimiles~~ *file or list* complies with law.

17 ~~SEC. 71.~~

18 *SEC. 72.* Section 3010 of the Elections Code is amended to
19 read:

20 3010. The elections official shall deliver to each qualified
21 applicant:

22 (a) The ballot for the precinct in which he or she resides. In
23 primary elections this shall also be accompanied by the ballot for
24 the central committee of the party for which the voter has disclosed
25 a preference, if any.

26 (b) All supplies necessary for the use and return of the ballot.

27 No officer of this state may make any charge for services
28 rendered to any voter under this chapter.

29 ~~SEC. 72.~~

30 *SEC. 73.* Section 3011 of the Elections Code is amended to
31 read:

32 3011. (a) The identification envelope shall contain all of the
33 following:

34 (1) A declaration, under penalty of perjury, stating that the voter
35 resides within the precinct in which he or she is voting and is the
36 person whose name appears on the envelope.

37 (2) The signature of the voter.

38 (3) The residence address of the voter as shown on the affidavit
39 of registration.

40 (4) The date of signing.

1 (5) A notice that the envelope contains an official ballot and is
2 to be opened only by the canvassing board.

3 (6) A warning plainly stamped or printed on it that voting twice
4 constitutes a crime.

5 (7) A warning plainly stamped or printed on it that the voter
6 must sign the envelope in his or her own handwriting in order for
7 the ballot to be counted.

8 (8) A statement that the voter has neither applied, nor intends
9 to apply, for a vote by mail voter's ballot from any other
10 jurisdiction for the same election.

11 (9) The name of the person authorized by the voter to return the
12 vote by mail ballot pursuant to Section 3017.

13 (10) The relationship to the voter of the person authorized to
14 return the vote by mail ballot.

15 (11) The signature of the person authorized to return the vote
16 by mail ballot.

17 (b) Except at a primary election for partisan office, and
18 notwithstanding any other provision of law, the vote by mail voter's
19 party preference may not be stamped or printed on the identification
20 envelope.

21 *SEC. 74. Section 3019 of the Elections Code is amended to*
22 *read:*

23 3019. (a) Upon receipt of a vote by mail ballot, the elections
24 official shall compare the signature on the identification envelope
25 with either of the following to determine whether the signatures
26 compare:

27 (1) The signature appearing on the voter's affidavit of
28 registration or any previous affidavit of registration of the voter.

29 (2) The signature appearing on a form issued by an elections
30 official that contains the voter's signature, that is part of the voter's
31 registration record, and that the elections official has determined
32 compares with the signature on the voter's affidavit of registration
33 or any previous affidavit of registration of the voter. The elections
34 official may make this determination by reviewing a series of
35 signatures appearing on official forms in the voter's registration
36 record that have been determined to compare, that demonstrates
37 the progression of the voter's signature, and makes evident that
38 the signature on the identification envelope is that of the voter.

39 (b) In comparing signatures pursuant to subdivision (a), the
40 elections official may use ~~the duplicate file of affidavits of~~

1 ~~registered voters or facsimiles of voters' signatures~~ *any file or list*
2 *of registered voters*, provided that the method of preparing and
3 displaying the ~~facsimiles~~ *file or list* complies with the law.

4 (c) (1) If upon conducting the comparison of signatures pursuant
5 to subdivision (a) the elections official determines that the
6 signatures compare, he or she shall deposit the ballot, still in the
7 identification envelope, in a ballot container in his or her office.

8 (2) If upon conducting the comparison of signatures pursuant
9 to subdivision (a) the elections official determines that the
10 signatures do not compare, the identification envelope shall not
11 be opened and the ballot shall not be counted. The cause of the
12 rejection shall be written on the face of the identification envelope.

13 (d) The variation of a signature caused by the substitution of
14 initials for the first or middle name, or both, shall not be grounds
15 for the elections official to determine that the signatures do not
16 compare.

17 (e) In comparing signatures pursuant to this section, an elections
18 official is authorized to use signature verification technology. If
19 signature verification technology determines the signatures do not
20 compare, the elections official shall not reject the ballot unless he
21 or she visually examines the signatures and verifies that the
22 signatures do not compare.

23 (f) A ballot shall not be removed from its identification envelope
24 until the time for processing ballots. A ballot shall not be rejected
25 for cause after the identification envelope has been opened.

26 *SEC. 75. Section 8401 of the Elections Code is amended to*
27 *read:*

28 8401. (a) Upon receiving the nomination paper if, from the
29 examination of such pursuant to Section 8400, more than 500
30 signatures have been signed on the nomination paper petition, the
31 elections official may use a random sampling technique for
32 verification of signatures. The random sample of signatures to be
33 verified shall be drawn in such a manner that every signature filed
34 with the elections official shall be given an equal opportunity to
35 be included in the sample. The random sampling shall include an
36 examination of at least 500 or 5 percent of the signatures,
37 whichever is greater.

38 (b) If the statistical sampling shows that the number of valid
39 signatures is within 90 to 110 percent of the number of signatures
40 of qualified voters needed to declare the nomination paper

1 sufficient, the elections official shall examine and verify each
2 signature filed.

3 (c) In determining from the records of registration, what number
4 of valid signatures are signed on the nomination paper, the elections
5 official may use the duplicate file of affidavits maintained, or may
6 ~~check the signatures against facsimiles of voters' signatures any~~
7 *file or list of registered voters*, provided that the method of
8 preparing and displaying the ~~facsimiles file or list~~ is permitted by
9 law.

10 (d) The elections official shall attach to the nomination paper,
11 a certificate showing the result of this examination, and shall notify
12 the candidate of either the sufficiency or insufficiency of the
13 nomination paper.

14 (e) If the nomination paper is found insufficient, no action shall
15 be taken on the nomination paper. However, the failure to secure
16 sufficient signatures, shall not preclude the submission later of an
17 entirely new nomination paper to the same effect.

18 (f) If the nomination paper is found to be sufficient, the elections
19 official shall certify the results of the examination.

20 ~~SEC. 73:~~

21 *SEC. 76.* Section 9030 of the Elections Code is amended to
22 read:

23 9030. (a) Each section of the petition shall be filed with the
24 elections official of the county or city and county in which it was
25 circulated, but all sections circulated in any county or city and
26 county shall be filed at the same time. Once filed, no petition
27 section shall be amended except by order of a court of competent
28 jurisdiction.

29 (b) Within eight days after the filing of the petition, excluding
30 Saturdays, Sundays, and holidays, the elections official shall
31 determine the total number of signatures affixed to the petition
32 and shall transmit this information to the Secretary of State. If the
33 total number of signatures filed with all elections officials is less
34 than 100 percent of the number of qualified voters required to find
35 the petition sufficient, the Secretary of State shall so notify the
36 proponents and the elections officials, and no further action shall
37 be taken with regard to the petition.

38 (c) If the number of signatures filed with all elections officials
39 is 100 percent or more of the number of qualified voters needed

1 to declare the petition sufficient, the Secretary of State shall
2 immediately so notify the elections officials.

3 (d) Within 30 days after this notification, excluding Saturdays,
4 Sundays, and holidays, the elections official shall determine the
5 number of qualified voters who have signed the petition. If more
6 than 500 names have been signed on sections of the petition filed
7 with an elections official, the elections official shall use a random
8 sampling technique for verification of signatures, as determined
9 by the Secretary of State. The random sample of signatures to be
10 verified shall be drawn in such a manner that every signature filed
11 with the elections official shall be given an equal opportunity to
12 be included in the sample. The random sampling shall include an
13 examination of at least 500 or 3 percent of the signatures,
14 whichever is greater. In determining from the records of registration
15 what number of qualified voters have signed the petition, the
16 elections official may use any file or list of registered voters
17 provided that the method of preparing and displaying the file or
18 list complies with law.

19 (e) The elections official, upon the completion of the
20 examination, shall immediately attach to the petition, except the
21 signatures thereto appended, a properly dated certificate, showing
22 the result of the examination, and shall immediately transmit the
23 petition and the certificate to the Secretary of State. A copy of this
24 certificate shall be filed in the elections official's office.

25 (f) If the certificates received from all elections officials by the
26 Secretary of State establish that the number of valid signatures
27 does not equal 95 percent of the number of qualified voters needed
28 to find the petition sufficient, the petition shall be deemed to have
29 failed to qualify, and the Secretary of State shall immediately so
30 notify the proponents and the elections officials.

31 (g) If the certificates received from all elections officials by the
32 Secretary of State total more than 110 percent of the number of
33 qualified voters needed to find the petition sufficient, the Secretary
34 of State shall certify that the measure is qualified for the ballot as
35 provided in Section 9033.

36 ~~SEC. 74.~~

37 *SEC. 77.* Section 9031 of the Elections Code is amended to
38 read:

39 9031. (a) If the statistical sampling shows that the number of
40 valid signatures is within 95 to 110 percent of the number of

1 signatures of qualified voters needed to declare the petition
2 sufficient, the Secretary of State shall order the examination and
3 verification of the signatures filed, and shall so notify the elections
4 officials.

5 (b) Within 30 days, excluding Saturdays, Sundays, and holidays,
6 after receipt of the order, the elections official or registrar of voters
7 shall determine from the records of registration what number of
8 qualified voters have signed the petition and if necessary the board
9 of supervisors shall allow the elections official or registrar
10 additional assistance for the purpose of examining the petition and
11 provide for their compensation. In determining from the records
12 of registration what number of qualified voters have signed the
13 petition, the elections official or registrar of voters may use any
14 file or list of registered voters, provided that the method of
15 preparing and displaying the file or list complies with law.

16 (c) (1) During the examination and verification of the signatures
17 filed, the elections official or registrar of voters shall submit one
18 or more reports to the Secretary of State showing the number of
19 signatures of qualified voters that have been verified as of that
20 date. The Secretary of State shall determine the number of reports
21 required to be submitted and the manner of their submission.

22 (2) The Secretary of State shall maintain a list indicating the
23 number of verified signatures of qualified voters who have signed
24 the petition based on the most recent reports submitted pursuant
25 to paragraph (1). If the Secretary of State determines, prior to each
26 county's completing the examination of each signature filed, that
27 based on the list the petition is signed by the requisite number of
28 voters needed to declare the petition sufficient, the Secretary of
29 State shall immediately notify the elections official or registrar of
30 voters of every county or city and county in the state of this fact.
31 Immediately after receipt of this notification, the elections official
32 or registrar of voters may suspend signature verification until
33 receipt of a certificate pursuant to Section 9033 or until otherwise
34 instructed by the Secretary of State.

35 (d) The elections official or registrar, upon the completion of
36 the examination or notification pursuant to paragraph (2) of
37 subdivision (c), shall immediately attach to the petition, except
38 the signatures thereto appended, an amended certificate properly
39 dated, showing the result of the examination and shall immediately
40 transmit the petition, together with the amended certificate, to the

1 Secretary of State. A copy of the amended certificate shall be filed
2 in the elections official's office.

3 (e) (1) If the amended certificates establish the petition's
4 sufficiency, the Secretary of State shall certify that the measure is
5 qualified for the ballot as provided in Section 9033.

6 (2) If the amended certificates received from all elections
7 officials by the Secretary of State establish that the petition has
8 still been found insufficient, the Secretary of State shall
9 immediately so notify the proponents and the elections officials.

10 ~~SEC. 75.~~

11 *SEC. 78.* Section 9114 of the Elections Code is amended to
12 read:

13 9114. Except as provided in Section 9115, within 30 days from
14 the date of filing of the petition, excluding Saturdays, Sundays,
15 and holidays, the elections official shall examine the petition, and
16 from the records of registration ascertain whether or not the petition
17 is signed by the requisite number of voters. A certificate showing
18 the results of this examination shall be attached to the petition.

19 In determining the number of valid signatures, the elections
20 official may use any file or list of registered voters provided that
21 the method of preparing and displaying the file or list complies
22 with law.

23 The elections official shall notify the proponents of the petition
24 as to the sufficiency or insufficiency of the petition.

25 If the petition is found insufficient, no further action shall be
26 taken. However, the failure to secure sufficient signatures, shall
27 not preclude the filing of a new petition on the same subject, at a
28 later date.

29 If the petition is found sufficient, the elections official shall
30 certify the results of the examination to the board of supervisors
31 at the next regular meeting of the board.

32 ~~SEC. 76.~~

33 *SEC. 79.* Section 9115 of the Elections Code is amended to
34 read:

35 9115. (a) Within 30 days from the date of filing of the petition,
36 excluding Saturdays, Sundays, and holidays, if, from the
37 examination of petitions pursuant to Section 9114 shows that more
38 than 500 signatures have been signed on the petition, the elections
39 official may use a random sampling technique for verification of
40 signatures. The random sample of signatures to be verified shall

1 be drawn so that every signature filed with the elections official
2 shall be given an equal opportunity to be included in the sample.
3 The random sampling shall include an examination of at least 500,
4 or 3 percent of the signatures, whichever is greater.

5 (b) If the statistical sampling shows that the number of valid
6 signatures is within 95 to 110 percent of the number of signatures
7 of qualified voters needed to declare the petition sufficient, the
8 elections official shall, within 60 days from the date of the filing
9 of the petition, excluding Saturdays, Sundays, and holidays,
10 examine and verify the signatures filed. If the elections official
11 determines, prior to completing the examination of each signature
12 filed, that the petition is signed by the requisite number of qualified
13 voters to declare the petition sufficient, the elections official may
14 terminate the verification of the remaining unverified signatures.

15 (c) In determining from the records of registration, what number
16 of valid signatures are signed on the petition, the elections official
17 may use any file or list of registered voters, provided that the
18 method of preparing and displaying the file or list complies with
19 law.

20 (d) The elections official shall attach to the petition a certificate
21 showing the result of this examination and shall notify the
22 proponents of either the sufficiency or insufficiency of the petition.

23 (e) If the petition is found insufficient, no action shall be taken
24 on the petition. However, the failure to secure sufficient signatures
25 shall not preclude the filing later of an entirely new petition to the
26 same effect.

27 (f) If the petition is found to be sufficient, the elections official
28 shall certify the results of the examination to the board of
29 supervisors at the next regular meeting of the board.

30 ~~SEC. 77.~~

31 *SEC. 80.* Section 9308 of the Elections Code is amended to
32 read:

33 9308. (a) Except as provided in Section 9309, within 30 days
34 from the date of filing of the petition, excluding Saturdays,
35 Sundays, and holidays, the district elections official shall examine
36 the petition, and from the records of registration ascertain whether
37 the petition is signed by the requisite number of voters. A certificate
38 showing the results of this examination shall be attached to the
39 petition.

1 (b) In determining the number of valid signatures, the district
2 elections official may use any file or list of registered voters,
3 provided that the method of preparing and displaying the file or
4 list complies with law.

5 (c) The district elections official shall notify the proponents of
6 the petition as to the sufficiency or insufficiency of the petition.

7 (d) If the petition is found insufficient, no further action shall
8 be taken. However, the failure to secure sufficient signatures, shall
9 not preclude the filing of a new petition on the same subject, at a
10 later date.

11 (e) If the petition is found sufficient, the district elections official
12 shall certify the results of the examination to the governing board
13 of the district at the next regular meeting of the board.

14 ~~SEC. 78:~~

15 *SEC. 81.* Section 9309 of the Elections Code is amended to
16 read:

17 9309. (a) Within 30 days from the date of filing of the petition,
18 excluding Saturdays, Sundays, and holidays, if, from the
19 examination of petitions pursuant to Section 9308, more than 500
20 signatures have been signed on the petition, the district elections
21 official may use a random sampling technique for verification of
22 signatures. The random sample of signatures to be verified shall
23 be drawn in such a manner that every signature filed with the
24 elections official shall be given an equal opportunity to be included
25 in the sample. A random sampling shall include an examination
26 of at least 500 or 3 percent of the signatures, whichever is greater.

27 (b) If the statistical sampling shows that the number of valid
28 signatures is within 95 to 110 percent of the number of signatures
29 of qualified voters needed to declare the petition sufficient, the
30 district elections official, within 60 days from the date of the filing
31 of the petition, excluding Saturdays, Sundays, and holidays, shall
32 examine and verify each signature filed.

33 (c) In determining from the records of registration, what number
34 of valid signatures are signed on the petition, the district elections
35 official may use any file or list of registered voters, provided that
36 the method of preparing and displaying the file or list complies
37 with law.

38 (d) The district elections official shall attach to the petition, a
39 certificate showing the result of this examination, and shall notify

1 the proponents of either the sufficiency or insufficiency of the
2 petition.

3 (e) If the petition is found insufficient, no action shall be taken
4 on the petition. However, the failure to secure sufficient signatures
5 shall not preclude the filing later of an entirely new petition to the
6 same effect.

7 (f) If the petition is found to be sufficient, the district elections
8 official shall certify the results of the examination to the governing
9 board of the district at the next regular meeting of the board.

10 *SEC. 82. Section 11224 of the Elections Code is amended to*
11 *read:*

12 11224. (a) Except as provided in Section 11225, within 30
13 days from the date of filing of the petition, excluding Saturdays,
14 Sundays, and holidays, the elections official shall examine the
15 petition, and from the records of registration, ascertain whether or
16 not the petition is signed by the requisite number of voters. If the
17 elections official's examination shows that the number of valid
18 signatures is greater than the required number, the elections official
19 shall certify the petition to be sufficient. If the number of valid
20 signatures is less than the required number, the elections official
21 shall certify the petition to be insufficient.

22 (b) In determining the number of valid signatures, the elections
23 official may use ~~the duplicate file of affidavits maintained, or may~~
24 ~~check the signatures against facsimiles of voters' signatures any~~
25 ~~file or list of registered voters~~, provided that the method of
26 preparing and displaying the ~~facsimiles file or list~~ complies with
27 law.

28 (c) The elections official shall attach to the petition a certificate
29 showing the result of this examination, and shall notify the
30 proponents of either the sufficiency or insufficiency of the petition.

31 (d) If the petition is found sufficient, the elections official shall
32 certify the results of the examination to the governing board at its
33 next regular meeting.

34 *SEC. 83. Section 11225 of the Elections Code is amended to*
35 *read:*

36 11225. (a) Within 30 days from the date of filing of the
37 petition, excluding Saturdays, Sundays, and holidays, if, from the
38 examination of petitions pursuant to Section 11222, more than 500
39 signatures have been signed on the petition, the elections official
40 may use a random sampling technique for verification of signatures.

1 The random sample of signatures to be verified shall be drawn in
2 a manner so that every signature filed with the elections official
3 shall have an equal opportunity to be included in the sample. The
4 random sampling shall include an examination of at least 500 or
5 5 percent of the signatures, whichever is greater.

6 (b) If the statistical sampling shows that the number of valid
7 signatures is greater than 110 percent of the required number, the
8 elections official shall certify the petition to be sufficient.

9 (c) If the statistical sampling shows that the number of valid
10 signatures is within 90 to 110 percent of the number of signatures
11 of qualified voters needed to declare the petition sufficient, the
12 elections official shall examine and verify each signature filed. If
13 the elections official's examination of each signature shows that
14 the number of valid signatures is greater than the required number,
15 the elections official shall certify the petition to be sufficient. If
16 the number of valid signatures is less than the required number,
17 the elections official shall certify the petition to be insufficient.

18 (d) If the statistical sampling shows that the number of valid
19 signatures is less than 90 percent of the required number, the
20 elections official shall certify the petition to be insufficient.

21 (e) In determining from the records of registration the number
22 of valid signatures signed on the petition, the elections official
23 may use the ~~duplicate file of affidavits maintained, or may check~~
24 ~~the signatures against facsimiles of voters' signatures~~ *any file or*
25 *list of registered voters*, provided that the method of preparing and
26 displaying the ~~facsimiles file or list~~ complies with law.

27 (f) The elections official shall attach to the petition, a certificate
28 showing the result of this examination, and shall notify the
29 proponents of either the sufficiency or insufficiency of the petition.

30 (g) If the petition is found insufficient, no action shall be taken
31 on the petition. However, the failure to secure sufficient signatures
32 shall not preclude the filing later of an entirely new petition to the
33 same effect.

34 (h) If the petition is found to be sufficient, the elections official
35 shall certify the results of the examination to the governing body
36 at its next regular meeting.

37 ~~SEC. 79.~~

38 *SEC. 84.* Section 14202 of the Elections Code is amended to
39 read:

1 14202. Before opening the polls, the precinct board shall post
2 in separate, convenient places at or near the polling place, and of
3 easy access to the voters, not less than two of the copies of the
4 index to the affidavits of registration for that precinct. The copies
5 of the index may be by street address in numerical order.

6 ~~SEC. 80.~~

7 *SEC. 85.* Section 18104 of the Elections Code is amended to
8 read:

9 18104. Any individual or organization having charge of
10 affidavits of registration is guilty of a misdemeanor who knowingly
11 neglects or refuses to return affidavits of registration as provided
12 in Article 3 (commencing with Section 2135) of Chapter 2 of
13 Division 2. The county elections official shall report to the district
14 attorney of the county, under oath, the names of any individuals
15 or organizations who have failed to return the affidavits. The
16 district attorney shall take appropriate civil or criminal action.

17 ~~SEC. 81.~~

18 *SEC. 86.* Section 18109 of the Elections Code is amended to
19 read:

20 18109. (a) It is a misdemeanor for a person in possession of
21 information identified in Section 2138.5, or obtained pursuant to
22 Article 5 (commencing with Section 2183) of Chapter 2 of Division
23 2 of this code or Section 6254.4 of the Government Code,
24 knowingly to use or permit the use of all or any part of that
25 information for any purpose other than as permitted by law.

26 (b) It is a misdemeanor for a person knowingly to acquire
27 possession or use of voter registration information from the
28 Secretary of State or a county elections official without first
29 complying with Section 2188.

30 ~~SEC. 82.~~

31 *SEC. 87.* No reimbursement is required by this act pursuant to
32 Section 6 of Article XIII B of the California Constitution for certain
33 costs that may be incurred by a local agency or school district
34 because, in that regard, this act creates a new crime or infraction,
35 eliminates a crime or infraction, or changes the penalty for a crime
36 or infraction, within the meaning of Section 17556 of the
37 Government Code, or changes the definition of a crime within the
38 meaning of Section 6 of Article XIII B of the California
39 Constitution.

1 However, if the Commission on State Mandates determines that
2 this act contains other costs mandated by the state, reimbursement
3 to local agencies and school districts for those costs shall be made
4 pursuant to Part 7 (commencing with Section 17500) of Division
5 4 of Title 2 of the Government Code.

6 ~~SEC. 83.~~

7 SEC. 88. This act shall become operative only if the Secretary
8 of State certifies that the state has a statewide voter registration
9 database that complies with the requirements of the federal Help
10 America Vote Act of 2002 ~~(42 U.S.C. Sec. 15301 et seq.)~~. (52
11 U.S.C. Sec. 20901 et seq.).

O